

# STEVENS & LEE

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November 30, 2020

## BY EFILE

Hon. Sarah Netburn, U.S.M.J.  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: *Scottsdale Ins. Co. ex rel. Z Live Inc. v. 677 Eleventh Ave. Realty, LLC***  
**Docket No. 1:19-CV-11688 (SN)**

Dear Judge Netburn:

This firm represents Defendants 677 Eleventh Avenue Realty, LLC and Manhattan Luxury Automobiles, Inc. d/b/a Lexus of Manhattan (incorrectly named as Bay Ridge Automotive Management Corp. d/b/a Lexus of Manhattan) in this matter. Defendants submit this joint letter together with Plaintiff, Scottsdale Insurance Company as subrogee of Z Live Inc. d/b/a Stage 48.

As Your Honor may recall, the parties participated in a Settlement Conference with the Court on November 10, 2020. While no resolution was reached between the parties at that time, the parties continue to engage in settlement discussions in the hope of resolving the action.

Meanwhile, the period for fact discovery is scheduled to end on November 30, 2020, (ECF No. 29), and the last comprehensive scheduling order entered in this case was the Civil Case Management Plan and Scheduling Order, dated February 21, 2020, (ECF No. 18), by Judge Woods before this case was consensually referred to Your Honor and before the COVID-19 pandemic. As a result, many of the dates in the February 21, 2020 Order no longer match how the case has progressed. Moreover, a short amount of additional time is needed to complete fact discovery, as recent depositions have uncovered additional necessary discovery to be undertaken. Since the last extension request, (ECF No. 28), the parties have already conducted two depositions as well as conducted the Settlement Conference. Consequently, the parties respectfully request the opportunity to submit a proposed joint case management plan to Your Honor with a clear eye toward the timely resolution of this case.

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Should the Court have any questions, please feel free to contact me using the above contact information.

Respectfully submitted,

STEVENS & LEE

*/s/ Nicholas P. Eliades*

Nicholas P. Eliades